

false material declaration or makes or uses any other information, including any book, paper, document, record, recording, or other material, knowing the same to contain any false material declaration, shall be fined under this title or imprisoned not more than five years, or both.

(b) This section is applicable whether the conduct occurred within or without the United States.

(c) An indictment or information for violation of this section alleging that, in any proceedings before or ancillary to any court or grand jury of the United States, the defendant under oath has knowingly made two or more declarations, which are inconsistent to the degree that one of them is necessarily false, need not specify which declaration is false if—

(1) each declaration was material to the point in question, and

(2) each declaration was made within the period of the statute of limitations for the offense charged under this section.

In any prosecution under this section, the falsity of a declaration set forth in the indictment or information shall be established sufficient for conviction by proof that the defendant while under oath made irreconcilably contradictory declarations material to the point in question in any proceeding before or ancillary to any court or grand jury. It shall be a defense to an indictment or information made pursuant to the first sentence of this subsection that the defendant at the time he made each declaration believed the declaration was true.

(d) Where, in the same continuous court or grand jury proceeding in which a declaration is made, the person making the declaration admits such declaration to be false, such admission shall bar prosecution under this section if, at the time the admission is made, the declaration has not substantially affected the proceeding, or it has not become manifest that such falsity has been or will be exposed.

(e) Proof beyond a reasonable doubt under this section is sufficient for conviction. It shall not be necessary that such proof be made by any particular number of witnesses or by documentary or other type of evidence.

(Added Pub. L. 91-452, title IV, §401(a), Oct. 15, 1970, 84 Stat. 932; amended Pub. L. 94-550, §6, Oct. 18, 1976, 90 Stat. 2535; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

1976—Subsec. (a). Pub. L. 94-550 inserted “(or in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code)” after “under oath”.

CHAPTER 81—PIRACY AND PRIVATEERING

Sec.	
1651.	Piracy under law of nations.
1652.	Citizens as pirates.
1653.	Aliens as pirates.
1654.	Arming or serving on privateers.
1655.	Assault on commander as piracy.
1656.	Conversion or surrender of vessel.

Sec.	
1657.	Corruption of seamen and confederating with pirates.
1658.	Plunder of distressed vessel.
1659.	Attack to plunder vessel.
1660.	Receipt of pirate property.
1661.	Robbery ashore.

HISTORICAL AND REVISION NOTES

In the light of far-reaching developments in the field of international law and foreign relations, the law of piracy is deemed to require a fundamental reconsideration and complete restatement, perhaps resulting in drastic changes by way of modification and expansion. Such a task may be regarded as beyond the scope of this project. The present revision is, therefore, confined to the making of some obvious and patent corrections. It is recommended, however, that at some opportune time in the near future, the subject of piracy be entirely reconsidered and the law bearing on it modified and restated in accordance with the needs of the times.

§ 1651. Piracy under law of nations

Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 774.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §481 (Mar. 4, 1909, ch. 321, §290, 35 Stat. 1145).

§ 1652. Citizens as pirates

Whoever, being a citizen of the United States, commits any murder or robbery, or any act of hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is a pirate, and shall be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 774.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §495 (Mar. 4, 1909, ch. 321, §304, 35 Stat. 1147).

Words “Notwithstanding the pretense of such authority,” were omitted as surplusage.

§ 1653. Aliens as pirates

Whoever, being a citizen or subject of any foreign state, is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the state of which the offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is a pirate, and shall be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 774.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §496 (Mar. 4, 1909, ch. 321, §305, 35 Stat. 1147).

Minor change was made in phraseology.

§ 1654. Arming or serving on privateers

Whoever, being a citizen of the United States, without the limits thereof, fits out and arms, or attempts to fit out and arm or is concerned in furnishing, fitting out, or arming any private

vessel of war or privateer, with intent that such vessel shall be employed to cruise or commit hostilities upon the citizens of the United States or their property; or

Whoever takes the command of or enters on board of any such vessel with such intent; or

Whoever purchases any interest in any such vessel with a view to share in the profits thereof—

Shall be fined under this title or imprisoned not more than ten years, or both.

(June 25, 1948, ch. 645, 62 Stat. 774; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 494 (Mar. 4, 1909, ch. 321, § 303, 35 Stat. 1147).

Reference to persons procuring or aiding was omitted as unnecessary in view of definition of “principal” in section 2 of this title.

Mandatory punishment provisions were rephrased in the alternative.

The last sentence relating to venue was omitted as unnecessary in view of the general provision to the same effect in section 3238 of this title.

Minor changes were made in phraseology and arrangement.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000” in last par.

§ 1655. Assault on commander as piracy

Whoever, being a seaman, lays violent hands upon his commander, to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 774.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 485 (Mar. 4, 1909, ch. 321, § 294, 35 Stat. 1146).

A minor verbal change was made.

§ 1656. Conversion or surrender of vessel

Whoever, being a captain or other officer or mariner of a vessel upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, piratically or feloniously runs away with such vessel, or with any goods or merchandise thereof, to the value of \$50 or over; or

Whoever yields up such vessel voluntarily to any pirate—

Shall be fined under this title or imprisoned not more than ten years, or both.

(June 25, 1948, ch. 645, 62 Stat. 774; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 497 (Mar. 4, 1909, ch. 321, § 306, 35 Stat. 1148).

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000” in last par.

§ 1657. Corruption of seamen and confederating with pirates

Whoever attempts to corrupt any commander, master, officer, or mariner to yield up or to run away with any vessel, or any goods, wares, or merchandise, or to turn pirate or to go over to or confederate with pirates, or in any wise to trade with any pirate, knowing him to be such; or

Whoever furnishes such pirate with any ammunition, stores, or provisions of any kind; or

Whoever fits out any vessel knowingly and, with a design to trade with, supply, or correspond with any pirate or robber upon the seas; or

Whoever consults, combines, confederates, or corresponds with any pirate or robber upon the seas, knowing him to be guilty of any piracy or robbery; or

Whoever, being a seaman, confines the master of any vessel—

Shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 775; Pub. L. 101-647, title XXV, § 2527(b), Nov. 29, 1990, 104 Stat. 4877; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 498 (Mar. 4, 1909, ch. 321, § 307, 35 Stat. 1148).

Mandatory punishment provisions were rephrased in the alternative.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” in last par.

1990—Pub. L. 101-647, which directed insertion of “section 11, 12, or 13 of the Federal Deposit Insurance Act” after “consideration of any action brought under”, could not be executed because the words “consideration of any action brought under” did not appear.

§ 1658. Plunder of distressed vessel

(a) Whoever plunders, steals, or destroys any money, goods, merchandise, or other effects from or belonging to any vessel in distress, or wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States, shall be fined under this title or imprisoned not more than ten years, or both.

(b) Whoever willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; or

Whoever holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel sailing upon the sea into danger or distress or shipwreck—

Shall be imprisoned not less than ten years and may be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 775; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 488 (Mar. 4, 1909, ch. 321, § 297, 35 Stat. 1146).

Mandatory punishment provision in subsection (a) was rephrased in the alternative.

Minor changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

§ 1659. Attack to plunder vessel

Whoever, upon the high seas or other waters within the admiralty and maritime jurisdiction of the United States, by surprise or open force, maliciously attacks or sets upon any vessel belonging to another, with an intent unlawfully to plunder the same, or to despoil any owner thereof of any moneys, goods, or merchandise laden on board thereof, shall be fined under this title or imprisoned not more than ten years, or both.

(June 25, 1948, ch. 645, 62 Stat. 775; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 489 (Mar. 4, 1909, ch. 321, § 298, 35 Stat. 1147).

Mandatory punishment provisions were rephrased in the alternative.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

§ 1660. Receipt of pirate property

Whoever, without lawful authority, receives or takes into custody any vessel, goods, or other property, feloniously taken by any robber or pirate against the laws of the United States, knowing the same to have been feloniously taken, shall be imprisoned not more than ten years.

(June 25, 1948, ch. 645, 62 Stat. 775.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 552 (Mar. 4, 1909, ch. 321, § 334, 35 Stat. 1152).

Provision relating to concealment of pirate and words “is an accessory after the fact to such robbery or piracy” were omitted in view of definitive section 3 of this title.

§ 1661. Robbery ashore

Whoever, being engaged in any piratical cruise or enterprise, or being of the crew of any piratical vessel, lands from such vessel and commits robbery on shore, is a pirate, and shall be imprisoned for life.

(June 25, 1948, ch. 645, 62 Stat. 775.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 493 (Mar. 4, 1909, ch. 321, § 302, 35 Stat. 1147).

Transposition of several words was made.

CHAPTER 83—POSTAL SERVICE

Sec.	
1691.	Laws governing postal savings.
1692.	Foreign mail as United States mail.
1693.	Carriage of mail generally.
1694.	Carriage of matter out of mail over post routes.
1695.	Carriage of matter out of mail on vessels.
1696.	Private express for letters and packets.
1697.	Transportation of persons acting as private express.

Sec.	
1698.	Prompt delivery of mail from vessel.
1699.	Certification of delivery from vessel.
1700.	Desertion of mails.
1701.	Obstruction of mails generally.
1702.	Obstruction of correspondence.
1703.	Delay or destruction of mail or newspapers.
1704.	Keys or locks stolen or reproduced.
1705.	Destruction of letter boxes or mail.
1706.	Injury to mail bags.
1707.	Theft of property used by Postal Service.
1708.	Theft or receipt of stolen mail matter generally.
1709.	Theft of mail matter by officer or employee.
1710.	Theft of newspapers.
1711.	Misappropriation of postal funds.
1712.	Falsification of postal returns to increase compensation.
1713.	Issuance of money orders without payment.
[1714.	Repealed.]
1715.	Firearms as nonmailable; regulations.
1716.	Injurious articles as nonmailable.
1716A.	Nonmailable locksmithing devices and motor vehicle master keys.
1716B.	Nonmailable plants.
1716C.	Forged agricultural certifications.
1716D.	Nonmailable injurious animals, plant pests, plants, and illegally taken fish, wildlife, and plants.
1717.	Letters and writings as nonmailable.
[1718.	Repealed.]
1719.	Franking privilege.
1720.	Canceled stamps and envelopes.
1721.	Sale or pledge of stamps.
1722.	False evidence to secure second-class rate.
1723.	Avoidance of postage by using lower class matter.
1724.	Postage on mail delivered by foreign vessels.
1725.	Postage unpaid on deposited mail matter.
1726.	Postage collected unlawfully.
[1727.	Repealed.]
1728.	Weight of mail increased fraudulently.
1729.	Post office conducted without authority.
1730.	Uniforms of carriers.
1731.	Vehicles falsely labeled as carriers.
1732.	Approval of bond or sureties by postmaster.
1733.	Mailing periodical publications without prepayment of postage.
1734.	Editorials and other matter as “advertisements”.
1735.	Sexually oriented advertisements.
1736.	Restrictive use of information.
1737.	Manufacturer of sexually related mail matter.
[1738.	Repealed.]

AMENDMENTS

2000—Pub. L. 106-578, § 4, Dec. 28, 2000, 114 Stat. 3076, struck out item 1738 “Mailing private identification documents without a disclaimer”.

1994—Pub. L. 103-322, title XXXII, § 320108(b)(2), Sept. 13, 1994, 108 Stat. 2113, added item 1716D.

1990—Pub. L. 101-647, title XII, § 1210(b), (c), title XXXV, § 3552(b), Nov. 29, 1990, 104 Stat. 4832, 4926, struck out item 1714 “Foreign divorce information as nonmailable”, struck out “; opening letters” after “nonmailable” in item 1717, and struck out item 1718 “Libelous matter on wrappers or envelopes”.

1988—Pub. L. 100-690, title VII, § 7090(d), Nov. 18, 1988, 102 Stat. 4410, inserted “locksmithing devices and” before “motor” in item 1716A.

Pub. L. 100-574, §§ 1(b)(2), 2(b), Oct. 31, 1988, 102 Stat. 2893, added items 1716B and 1716C.

1982—Pub. L. 97-398, § 4(b), Dec. 31, 1982, 96 Stat. 2011, added item 1738.

1970—Pub. L. 91-375, § 6(j)(19)(B), (36)(B), (37)(B), Aug. 12, 1970, 84 Stat. 778, 780, 781, substituted “officer” for “postmaster” in item 1709 and “Mailing periodical publications without prepayment of postage” for “Affidavits relating to second class mail” in item 1733, and added items 1735 to 1737.